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# Desperately Seeking Copyright -- Copyright on Campus: Librarians Remain at the Head of the Class

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## Copyright on Campus: Librarians Remain at the Head of the Class

by Edward W. Collieran (Director, Publisher Relations, Copyright Clearance Center) <ecollieran@copyright.com>

Copyright issues are taking center stage on college campuses, much as they have in the news, courts, and Congress. Controversial enforcement efforts by the **Recording Industry Association of America (RIAA)** are shining a spotlight on illegal music downloading. At the same time, public developments, such as the enactment of the **Technology, Education and Copyright Harmonization (TEACH) Act** (see related article, page 34) and copyright infringement litigation efforts targeting coursepack providers, are breaking new ground by helping to clarify lawful versus unlawful content usage.

These measures reflect the realities of a digital environment in which the benefit of easier access to information has further complicated the already sensitive issue of copyright compliance. Central to the discussion are library professionals who have the complex task of balancing two seemingly competing, but equally compelling, positions: the need for ready access to information that furthers the educational process; and the protection granted to authors and publishers to encourage continued creation of useful materials.

Widely regarded as the campus experts on copyright compliance, librarians offer knowledge and experience that helps their institutions solve these information and compliance challenges. They are accustomed to collaborating with fellow educators, authors, publishers and other sources of research, instructional and other materials in order to facilitate access to information.

Because they have been in the forefront of efforts to develop today's copyright compliance solutions, they are also the ideal candidates to help frame the debate and to determine whether and how to adapt the old rules to new media.

### The Truth About Usage Trends

The impact of the digitization of material that previously would have been restricted to print has been mixed. On the one hand are those who portend the demise of books, journals, and other forms of "hard copy." On the other are some who believe the content opportunities of new electronic formats to be wildly overstated. Not surprisingly, publicly available research, as well as our own experience at **Copyright Clearance Center**, indicate that the truth lies somewhere in the middle. In fact, a recent survey by **Outsell, Inc.** indicates that while students and faculty continue to rely on print media, they tend to supplement printed materials with electronic content.

Conducted in collaboration with the **Digital Library Federation (DLF)** and the **Council on Library and Information Resources (CLIR)**, the **Outsell** survey is one example of **DLF's** ongoing efforts to gauge changing patterns of information use and their impact on libraries and library professionals.<sup>1</sup> According to **CLIR's** report on the survey, entitled "Dimensions and Use of the Scholarly Information Environment," **Outsell** interviewed 2,208 faculty members and graduate and undergraduate students at public and private doctoral research universities, plus 1,026 faculty members and undergraduates at private liberal arts colleges, for a total of 3,234 survey respondents. Among the survey's findings:<sup>2</sup>

- Although more than 70 percent of faculty and graduate students rely heavily on print for teaching, almost 68 percent of faculty members also maintain Web pages for their students. In addition, they make course information available on reserve at the library, in the campus bookstore and in the copy center.
- Just over half of undergraduates say they rely on print sources all or most of the time, compared with more than 70 percent of graduate students and faculty.
- Graduate and undergraduate students turn to the physical and virtual library to meet 65 percent to 70 percent of their information needs. They also use the library's Web site as their gateway to online resources. In fact, more than 60 percent of their online sources are accessed via the library's site.
- About 16 percent agree with the statement, "The Internet has not changed the way I use the library."
- 41.5 percent say they work and study away from campus more than they used to.
- Over 98 percent of those surveyed trust their library to contain information "from credible and known sources." In contrast, 75.4 percent believe that the Internet "provides high-quality information."

These findings underscore the critical function of the library and the expanded responsibilities of library professionals in an evolving information landscape.

Librarians and library directors remain invaluable resources for those seeking access to both print and electronic information, be it for teaching, learning, or research. They are on the front line of the information revolution, bearing witness to emerging trends, identifying potential copyright and usage issues, and identifying solutions. They also play an integral role in fulfilling new requirements—particularly for institutions that take advantage of **TEACH**—to develop campus-wide copyright policies and follow through with the education that can ensure compliance.

### What Does the Future Hold?

Not surprisingly, future challenges and opportunities have their roots in the current information environment. Digital technology will continue to drive changes in the way we access information and in the steps we take to ensure that such access complies with copyright law.

While there is every indication that paper and printed materials will remain integral to instruction and research, increasingly they will be supplemented by electronic information. Already evident in the growing use of electronic course materials, this trend is liable to continue in part because, as the **Outsell** survey indicates, younger students are more comfortable with electronic media. As authors and publishers become more convinced of the advantages of presenting information in this format, more adept at doing so, and more committed to providing users with convenient access to the rights to use such information, the digitizing of existing materials is likely to accelerate.

Today's successful copyright and licensing solutions are apt to serve as models for the solutions of the future. Online services, such as those at **Copyright Clearance Center's** [www.copyright.com](http://www.copyright.com), which offer immediate access to content reuse rights are expected to continue to gain in popularity. Blanket licenses, currently offered to businesses as a convenient, economical option, may be modified to meet the needs of academic users and to encourage lawful use of copyrighted works by faculty and students alike.

Technological advances, such as more flexible, user-friendly versions of rights management tools, will ensure access to information for target audiences while protecting the rights of authors, publishers and other rightsholders. These same tools will enable library professionals to better meet the needs of information users. Content management software can, for example, automatically record usage patterns to assist librarians with collection management decisions. Little-used materials could then be replaced with additional copies of high-demand works, or with new publications of interest to library customers.

The current focus on copyright compliance is a harbinger of things to come. The most obvious example, of course, is the firm stance adopted by the **RIAA**. Equally significant, however, are the **TEACH Act** requirements that institutions educate users about copyright policies and mandate compliance. One way to respond to this would be

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### Innovations Affecting Us from page 97

#### Additional Reading

Allen, Maryellen Mott. The Hype Over Hyperbolic Browsers Online 26:3 (May/June 2002) pp. 20-22, 24, 26, 28.

Chimera, R., Wolman, K., Mark, S., Schneiderman B. (revised Sept. 1993) An exploratory evaluation of three interfaces for browsing large hierarchical tables of contents, *ACM Transactions on Information Systems*, vol.12., #4 (Oct. 94) 383-406. CS-TR-2620, CAR-TR-539] shows that tables of contents that allow the user to expand and contract levels of the hierarchy decrease browsing time compared to a stable, fully-expanded version.


Lamping, John and Rao, Ramana. The hyperbolic browser: A focus+context technique for visualizing large hierarchies. *Journal of Visual Languages and Computing*, 6:4, 1995.

Nation David A.; Plaisant, Catherine; Marchionini, Gary; and Komlodi, Anita. Visualizing Websites using a hierarchical table of contents browser: **WebTOC** [<http://www.cs.huji.ac.il/~sdbi/1999/elik/nation.html>] describes a method for visualizing the contents of a Website with a hierarchical table of contents using a Java program and applet called **WebTOC**. Early results from user studies suggest that **WebTOC** is easily learned and can assist users in navigating Websites.



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to have copyright education become a routine component of student and faculty orientation programs. Given the central role of the library, as evidenced by the **Outsell** data, we can expect the

responsibility for building awareness of copyright issues to continue to fall to campus librarians. As the early-adopters of electronic solutions and the resident experts on new media and copyright compliance, library professionals will further secure their position as an unparalleled resource for those engaged in instruction, learning, and research. 

### Endnotes

1. "Dimensions and Use of the Scholarly Information Environment: Introduction," <http://www.clir.org/pubs/reports/pub110/introduction.html>.
2. Ibid.



## CHAOS — Standards Column

by Pat Harris (NISO) <pharris@niso.org>

*Dear ATG Readers: It is an honor to be asked to manage the Standards column for ATG. It is also a humbling to take over the reins from Sandy Paul. Although I have never fallen short in the footwear department, Sandy's shoes are hard to fill! Sandy has been a forceful and articulate "Voice of Standards" in ATG for many years and I will do my best to keep the voice clear and strong.*

*I will use this column as an avenue to keep you informed of emerging standards issues and standards developments that will have an impact on your operations and your services to users. Standards (or the absence of standards) make a difference. And, the standards that matter have an every-day impact. I want you to know more about how and why they make a difference by pointing out those "for-instances" where standards are important. I don't plan to do this solo, however. You'll be seeing other by-lines in the months ahead as I invite my colleagues to write about the standards work they are engaged in. Standards work is a collaborative process so at every turn, I welcome your feedback. Am I telling you what you need to know? If not, email or call. I welcome your feedback. — PH*

### Metasearching Exposes the Standards Gaps

Metasearch, parallel search, federated search, broadcast search, cross-database search, search portal—these terms are now everyday words in our professional vocabulary. They speak to search and retrieval spanning multiple databases, sources, platforms, protocols, and vendors at once. Why does this matter? Well, libraries increasingly have to compete with **Google** and other high-power search engines for the average person's attention. However, libraries can distinguish themselves as invaluable information resources if they can bring their users the metasearching tools that can delve deep into the digital treasure-trove.

Work got underway to define the metasearch challenges in January 2003 when a group of approximately forty library systems and services providers convened in an open meeting at the **American Library Association** midwinter to discuss how their businesses and their services have changed by the wide-scale growing use of metasearching. The attendees shared three major concerns:

#### • The impact of metasearching on system resources and performance

All reported that metasearching can result in

a large number of individual search and retrieval interactions between the meta engine and search targets. The end-result is that these multiple simultaneous search requests impact a single provider's server environment.

Metasearching in a Web environment is "stateless." This means that each search request invokes a separate authentication process. The authentication processes of content providers are resource intensive operations and consequently slow a system down. It was suggested that some gains might be realized by establishing conventions between meta engines and content servers in which meta engines established, "held onto," serially reused, and released "sessions" between the engine and search targets.

I note as one piece of good news that many attendees were enthusiastically in support of **ANSI/NISO Z39.50**, this community's landmark standard for information retrieval. Metasearching using **Z39.50** is "stateful" and alleviates some of the burden imposed by the stateless type of searching. Looking ahead to the next generation of **Z39.50**, **SRW** (Search and Retrieval on the Web) promises to enable a new generation of **Z39.50** search and retrieval logic encoded as **XML** and build gateways to **Z39.50** systems. This new spin on **Z39.50** could result in lower software entry and maintenance costs.

#### • The need to protect IP and product branding

Content providers have assumed that their content, whether bibliographic, citation, abstract, full text, full image, etc. will be displayed along with important information such as "branding" and rights use declarations. In general, a publisher's branding information has not yet been embedded in individual "records" so records retrieved via metasearching may not display it. And, even if this information is embedded in individual records, no conventions exist either to require and/or facilitate the display of such information via metasearch engines.

#### • Competitive advantage can occur from ranking and ordering of retrieval sets

Content providers have concerns about how meta engines determine the ranking, display, and ordering of content presented to the end user. If the meta engine imposes a preference or a ranking, to what degree are the content providers and the end users advantaged or disadvantaged? Would invisible commercial arrangements between meta vendors and content providers arise as a result? To what extent can or should metasearch engines have a content or provider neutral approach?

### NISO Takes the Next Step

In May, **NISO** brought together its members to explore the issues raised in the meeting and to

Workshop panel presentations and working group papers are available at: <http://www.niso.org/committees/MS-workshop.html>

find solutions to the specific problems identified while metasearch implementations are still in their early stages. The planning committee for this event was co-chaired by **Oliver Pesch** of **EBSCO Information Services** and **Pat Stevens** of **OCLC, Inc.** Members of the committee included **Paul Cope** (AutoGraphics, Inc.), **Brenda Bailey-Hainer** (Colorado State Library), **Oren Beit-Arie** (ExLibris USA), **Brad Buckley** (Gale Group), **Laurie Davidson** (Innovative Interfaces, Inc.), **Todd Fegan** (ProQuest Information and Learning), **Matt Goldner** (Fretwell-Downing Informatics), **Betsy Graham** (Innovative Interfaces, Inc.), **Ted Koppel** (The Library Corporation), **Marc Krellenstein** (Elsevier Science, Inc.), **Peter Noerr** (MuseGlobal, Inc.), **Edward Pastorius** (Gale Group), **Sara Randall** (Endeavor Information Systems, Inc.), **Ed Riding** (Dynix Corp.), and **Jenny Walker** (ExLibris USA).

The goal was to get a group of community leaders to identify the long-term strategies and the immediate needs to support efficient metasearch capabilities. Specific topics to be addressed include:

- Authentication/certification mechanisms that would reduce performance impact without loss of security controls.
- A Web services model for bibliographic services possibly based on **SRW** (Search and Retrieval on the Web).
- Vendor neutral methods for sorting, ranking, and ordering of search results from multiple sources and multiple protocols.
- Methods for displaying of branding information, copyright, and other intellectual property notices.
- Statistics and use measurement.

The **Metasearch Strategy Workshop** was held May 7 and 8 in Denver, CO. The meeting began with presentations from five different types of service providers—public library, academic library, ILS vendor, metasearch provider, and content provider—who described their needs, requirements, and goals regarding metasearching. Then, the participants worked in small groups to focus on the key functional areas that support metasearching. Each sub-group recommended strategic directions.

The **Access Management** group examined the whole area of authentication and authorization in a metasearching environment. The group agreed that existing or developing Internet-related tech-

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